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Attorney Docket No.: ALTEN-00100

APR 13 2006

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Alten

App No.: 09/938,790

Filed: August 24, 2001

For: METHODS AND APPARATUSES
FOR A VERNAM STREAM CIPHER...

Art Unit: 2137

Examiner: Davis, Zachary

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450TRANSMITTAL

Sir/Madam:

Please find enclosed a copy of the Claim Listing in response to Notice of Non-Compliant Amendment mailed March 17, 2006 and the Notice of Non-Compliant Amendment mailed March 17, 2006.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit overpayment to Deposit Account No: 50-1963. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

Dated: April 13, 2006

Richard H. Butler

Registration No. 40,932

Please Send Correspondence to:
Valley Oak Law
5655 Silver Creek Valley Road
#106
San Jose, CA 95138
(408)223-9763

I hereby certify that this correspondence and correspondence referenced herein is being facsimile transmitted to the USPTO Fax No. (571) 273-8300 on 4/13/06 for 11 total pages.

Richard H. Butler

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/938,790	08/24/2001	Alexander I. Altan	Altan-00100	2157

7590 03/17/2006

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5655 Silver Creek Valley Rd # 106
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EXAMINER

DAVIS, ZACHARY A

ART UNIT

PAPER NUMBER

2137

DATE MAILED: 03/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No.

09/938,790

Applicant(s)

ALTEN, ALEXANDER I.

Examiner

Zachary A. Davis

Art Unit

2137

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

The amendment document filed on **12 January 2006** is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 114.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

- Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire corrected amendment must be resubmitted.
- Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) **only** if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or
Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable

Telephone No.

U.S. Patent and Trademark Office

Part of Paper No. 20060313

Continuation Sheet (PTOL-324)

9/838,780

Continuation of 4(e) Other: Independent Claim 19 includes an amendment that has not been marked as required by 37 CFR. Specifically, "enciphering" in line 1 of the original claim has been replaced with "deciphering" in line 1 of the claim in the present amendment without strikethrough and underlining noting the amendment as required.


EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER